

In the City Council
City of Lodi
Lodi, California

ORDINANCE NO. 640

ORDINANCE APPROVING THE ANNEXATION OF CERTAIN
UNINHABITED TERRITORY, DESIGNATED "HEAVY ADDI-
TION", TO THE CITY OF LODI, AND CLASSIFYING
SAID PROPERTY IN THE C-2 COMMERCIAL ZONE.

WHEREAS, the Boundary Commission of San Joaquin County did on the 2nd day of February, 1959, approve the boundary line description of the hereinafter described territory, proposed for annexation to the City of Lodi, as to definiteness and certainty! and

WHEREAS, on the 25th day of February, 1959, a verified petition requesting the annexation of said territory was accepted by the City Council of the city of Lodi, together with contained signatures the certificate of the City Clerk of said City: That the petitioning owners represent more than one-fourth of the property in said territory both by area and by assessed value, that there are less than twelve registered electors residing therein and that said territory is contiguous to the City of Lodi; and

WHEREAS, said petition contained a request that the property propoed to be **annexed** to the City of Lodi be zoned in the C-2 Commercial District, and the City Council thereupon referred the petition to the City Planning Commission who in turn, after hearing, recommended that the territory proposed for annexation be claesified in the C-2 Commercial Zone; and

WHEREAS, the City Council adopted Resolution No. 2205, giving notice of the proposed annexation and of a time and place for the hearing of protests against annexation, such hearing to be held in the City Council Chamber, City Hall, Lodi, California, beginning at 8:00 o'clock p.m. of Wednesday, April 1, 1959; and

WHEREAS, subsequent to the adoption of said Resolution No. 2205, conforming therewith and with the provisions of the "Annexation of Uninhabited Territory Act of 1939", notice was

given owners of property within the territory proposed for annexation by publication of said Resolution No. 2205 in a newspaper of general circulation printed and published in the City of Lodi as is evidenced by affidavit thereof on file and of record in the office of the City Clerk of the City of Lodi, said publication being completed more than twenty days prior to the date of hearing set in Resolution No. 2205; and

WHEREAS, all property owners having signed the petition for such annexation, mailing of notices to said property owners and publication of such notice in a newspaper outside the City of Lodi was waived in accordance with Section 35307 and Section 35311 of the Government Code; and

WHEREAS, said Resolution No. 2205 contained a notice of the intention of the City Council to classify said territory in the C-2 Commercial zone and

WHEREAS, on the 1st day of April, 1959, at the hour of 8:00 p.m. of said day, in the City Council Chamber, City Hall, Lodi, California, pursuant to resolution and notice aforesaid, the City Council of the City of Lodi did hold and conduct a public hearing for the hearing of protests or objections against the annexation of said territory to the City of Lodi, and said protests being heard, considered and passed upon by said City Council, and found to have been made by owners of less than one-half of the assessed value of the territory proposed to be annexed as shown by the last equalized assessment roll of San Joaquin County, California, or by public and private, owners of less than one-half of the value of the territory proposed to be annexed as determined by said City Council; now therefore

THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN AS FOLLOWS:

Section 1. The annexation of the following described uninhabited territory in San Joaquin County, contiguous to the City of Lodi, designated "Healy Addition", is hereby approved and the same is hereby declared to be annexed to and made part of the City of Lodi:

A portion of the Northwest quarter of Section 7, Township 3 North, Range 7 East, Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the Southwest corner of said Northwest quarter; thence South 87° 42' East along the South line of said quarter, a distance of 59.62 feet to the East line of State Highway X-SJ-4-C (Cherokee Lane); thence North 0° 34' West along the East line of said highway, 1650.0 feet to a point at the intersection of said East line of Cherokee Lane, as described in deed executed by W. G. Micke to State of California, recorded February 18, 1931, in Vol. 351 of Official Records, page 486, San Joaquin County Records, with the North line of that certain 24½ acre parcel

described in deed executed by Perrin to W. G. Micke, recorded November 9, 1917 in Book "A" of Deeds, Vol. 310, page 79, San Joaquin County Records; thence South $87^{\circ} 12\frac{1}{2}'$ East along said North line of the $24\frac{1}{2}$ acre tract, a distance of 370 feet to its intersection with the present City Limit line of the City of Lodi which point is the true point of beginning; thence continuing South $87^{\circ} 12\frac{1}{2}'$ East along said North line, a distance of 396.0 feet to the West line of that certain 7.223 acre tract described in deed executed by W. G. Micke to State of California, recorded December 31, 1958 in Vol. 2131 of Official Records, page 51, San Joaquin County Records; thence South $0^{\circ} 48'$ East along the West line of said 7.223 acre tract, a distance of 453.3 feet to the South line of said $24\frac{1}{2}$ acre parcel; thence North $87^{\circ} 24\frac{1}{2}'$ West along said South line, a distance of 397.7 feet to its intersection with the present City Limit line; thence North $0^{\circ} 34'$ West along the present City Limit line, 454 feet, more or less to the true point of beginning, and containing 4.12 acres more or less.

Section 2. The hereinabove described property be hereby classified in the C-2 Commercial zone to become effective coincident with the effective date of this ordinance.

Section 3. This ordinance shall be published one time in the "Lodi News-Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage.

Section 4. Upon the effective date of this ordinance, the City Clerk shall immediately prepare under seal a certified copy of the ordinance, giving the date of its passage, and transmit it to the Secretary of State. She shall also comply with the provisions of such statutes as may be applicable hereto to effect the purposes hereof.

Approved this 15th day of April, 1959.

FRED M. BROWN, Mayor

Attest:

BEATRICE GARIBALDI, City Clerk

State of California)
County of San Joaquin) **ss.**

I, BEATRICE GARIBALDI, City Clerk of the City of Lodi and ex officio Clerk of the City Council of said City, do hereby certify that the foregoing Ordinance No. 640 was introduced in **regular** meeting of **said** City Council held April 1, 1959, and was thereafter passed, adopted and ordered to print at a regular meeting of the City Council held April 15, 1959 by the following vote:

AYES: Councilmen — Culbertson, Katzakian, Mitchell, Robinson and Brown

NOES: Councilmen - None

ABSENT: Councilmen - None

I further certify that Ordinance No. 640 was approved and signed by the Mayor on the date of its passage and has been published pursuant to law.

BEATRICE GARIBALDI, City Clerk